

SPECIAL ISSUE

2004 GENERAL ELECTION RESULTS

Tuesday's election produced a record voter turnout in California, but essentially no change in the composition of the two houses of the Legislature.

Not surprisingly, Democrats retained their 25-15 margin in the state Senate, winning 11 of the 20 races being contested. View [election results](#) for the State Senate from the Secretary of State's office.

In the Assembly, Democrats retained a 48-32 advantage. All incumbents from both parties held on to their seats, in most cases by substantial margins, and all open seats stayed with the party that formerly held them. View [election results](#) for the Assembly from the Secretary of State's office.

Although all but one attorney candidate emerged victorious Tuesday, the number of lawyers in the state Legislature continued to decline from its already-historic low level.

In the Senate, the number of attorneys dropped by three, with term limits claiming four – Democrats [John Burton](#) (San Francisco), [Byron Sher](#) (Stanford), and [John Vasconcellos](#) (San Jose), and Republican [Ross Johnson](#) (Irvine) – and only one, former Assembly Member [Joe Simitian](#) (Palo Alto), being elected. That reduces the number of attorney Senators to 11 of 40 (27.5%).

The Assembly will see a net gain of one lawyer-lawmaker, with six of the current 14 leaving due to term limits -- [Darrell Steinberg](#) (D-Sacramento), [Ellen Corbett](#) (D-San Leandro), [Simitian](#) (D-Palo Alto), [Hannah-Beth Jackson](#) (D-Santa Barbara), [Robert Pacheco](#) (R-Walnut), and [Lou Correa](#) (D-Santa Ana) – and seven coming in. The seven new attorney Assembly members are Noreen Evans (D-Santa Rosa, 7th AD), Dave Jones (D-Sacramento, 9th AD), Alberto Torrico (D-Fremont, 20th AD), Juan Arambula (D-Fresno, 31st AD), Pedro Nava (D-Santa Barbara, 35th AD), Van Tran R-Garden Grove, 68th AD), and Tom Umberg (D-Santa Ana, 69th AD). The number of attorneys in the lower house will still remain at less than 20%, however (15 of 80, 18.75%).

Overall, 26 of the 120 lawmakers (21.7%) are attorneys, while another four (two Assembly members and two Senators) are law school graduates.

Term limits, Tuesday's election and other factors will have a disparate effect on the Judiciary Committees of the two houses.

The composition of the Senate Judiciary Committee likely will remain virtually unchanged, except for the replacement of termed-out Byron Sher with lawyer-legislator [Joe Dunn](#) (D-Santa Ana). Dunn will also replace Senator [Martha Escutia](#) (D-Whittier) as Judiciary Committee Chair, though Escutia will remain on the committee. The Senate Judiciary panel will remain the most lawyer-heavy in the Legislature, with six of the seven members being attorneys and the seventh, Sen. [Gil Cedillo](#) (D-Los Angeles), a law school graduate.

In contrast, the Assembly Judiciary Committee will be almost completely overhauled. Five of the committee's 10 members are leaving via term limits, including all three Democratic lawyers – one of which is committee chair Ellen Corbett. Nor are any of the current Democratic Assembly Members mentioned as likely candidates to take over as committee chair (historically held by an attorney). Thus, speculation is that the chairship may devolve to one of the incoming freshman, with Noreen Evans, Dave Jones, and Tom Umberg the names most frequently mentioned. Umberg may have a leg up in terms of experience, since he is a former Assembly member returning after several years' absence. But he is currently on active military duty, and therefore may not be immediately available to take his seat.

The following are the projected winners in all the Senate and Assembly races.

Senate Winners

District 1 -- Dave Cox (R)
District 3 -- Carole Migden (D)
District 5 -- * Michael J. Machado (D)
District 7 -- * Tom Torlakson (D)
District 9 -- * Don Perata (D)
District 11 -- S. Joseph (Joe) Simitian (D)
District 13 -- Elaine Alquist (D)
District 15 -- Abel Maldonado (R)
District 17 -- George C. Runner (R)
District 19 -- * Tom McClintock (R)
District 21 -- * Jack Scott (D)
District 23 -- * Sheila James Kuehl (D)
District 25 -- * Edward Vincent (D)
District 27 -- Alan S. Lowenthal (D)
District 29 -- * Bob Margett (R)
District 31 -- Robert Dutton (R)
District 33 -- * Dick Ackerman (R)

District 35 -- John Campbell (R)
District 37 -- * James F. Battin (R)
District 39 -- Christine Kehoe (D)
* = Incumbent

Assembly Winners

District 1 -- * Patty Berg (D)
District 2 -- * Doug La Malfa (R)
District 3 -- * Richard J. Keene (R)
District 4 -- * Tim Leslie (R)
District 5 -- Roger Niello (R)
District 6 -- * Joseph Edward Nation (D)
District 7 -- Noreen Evans (D)
District 8 -- * Lois Wolk (D)
District 9 -- Dave Jones (D)
District 10 -- * Alan Nakanishi (R)
District 11 -- * Joseph E. Canciamilla (D)
District 12 -- * Leland Y. Yee (D)
District 13 -- * Mark Leno (D)
District 14 -- * Loni Hancock (D)
District 15 -- * Guy S. Houston (R)
District 16 -- * Wilma Chan (D)
District 17 -- * Barbara S. Matthews (D)
District 18 -- Johan Klehs (D)
District 19 -- * Eugene Mullin (D)
District 20 -- Alberto Torrico (D)
District 21 -- Ira Ruskin (D)
District 22 -- * Sally Lieber (D)
District 23 -- Joe Coto (D)
District 24 -- * Rebecca Cohn (D)
District 25 -- * David Cogdill (R)
District 26 -- * Greg Aghazarian (R)
District 27 -- * John Laird (D)
District 28 -- * Simon Salinas (D)
District 29 -- Michael N. Villines (R)
District 30 -- * Nicole M. Parra (D)
District 31 -- Juan Arambula (D)
District 32 -- * Kevin Mc Carthy (R)
District 33 -- Sam Blakeslee (R)
District 34 -- * Bill Maze (R)
District 35 -- Pedro Idelfonso Nava (D)
District 36 -- * Sharon Runner (R)
District 37 -- Audra Strickland (R)
District 38 -- * Keith Stuart Richman (R)
District 39 -- * Cindy Montanez (D)
District 40 -- * Lloyd E. Levine (D)
District 41 -- * Fran Pavley (D)
District 42 -- * Paul Koretz (D)
District 43 -- * Dario Frommer (D)
District 44 -- * Carol Liu (D)
District 45 -- * Jackie Goldberg (D)
District 46 -- * Fabian Nunez (D)
District 47 -- Karen Bass (D)
District 48 -- * Mark Ridley-Thomas (D)
District 49 -- * Judy Chu (D)

District 50 -- Hector de la Torre (D)
District 51 -- * Jerome Horton (D)
District 52 -- * Mervyn M. Dymally (D)
District 53 -- Mike Gordon (D)
District 54 -- Betty Karnette (D)
District 55 -- * Jenny Oropeza (D)
District 56 -- * Rudy Bermudez (D)
District 57 -- * Ed Chavez (D)
District 58 -- * Ron Calderon (D)
District 59 -- * Dennis L. Mountjoy (R)
District 60 -- Robert "Bob" Huff (R)
District 61 -- * Gloria Negrete McLeod (D)
District 62 -- Joe Baca, Jr. (D)
District 63 -- William J. Emmerson (R)
District 64 -- * John J. Benoit (R)
District 65 -- * Russ Bogh (R)
District 66 -- * Ray Haynes (R)
District 67 -- * Tom Harman (R)
District 68 -- Van T. Tran (R)
District 69 -- Thomas J. Umberg (D)
District 70 -- Chuck DeVore (R)
District 71 -- * Todd Spitzer (R)
District 72 -- * Lynn Daucher (R)
District 73 -- Mimi Walters (R)
District 74 -- * Mark Wyland (R)
District 75 -- * George A. Plescia (R)
District 76 -- Lori Saldana (D)
District 77 -- * Jay La Suer (R)
District 78 -- * Shirley Horton (R)
District 79 -- * Juan Vargas (D)
District 80 -- * Bonnie Garcia (R)
* = Incumbent

BALLOT PROPOSITIONS

Sixteen propositions appeared on the November 2 ballot, with voters approving nine and rejecting seven. Of particular interest to elements of the legal community were:

- [Proposition 64](#), a business-backed measure to greatly restrict the ability of private attorneys to file suit under the state's Unfair Competition Law (B&P Code §§17200 et seq.). Inspired in large part by reports of abusive practices by a small group of attorneys, and strongly backed by Governor Arnold Schwarzenegger, the measure passed by a 59%-41% margin.
- [Proposition 66](#), which would have reduced the number of crimes that would constitute a "strike" under the state's "Three Strikes" sentencing law, and also required the third "strike" to be a serious or violent felony, was rejected by the voters, 53.4%-46.6%.